



Entered on Docket
October 01, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LAW OFFICE OF FRANK SORRENTINO
FRANK SORRENTINO, ESQ.
Nevada Bar No. 000421
ANTHONY V. SORRENTINO, ESQ.
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Attorneys for Debtor

E-filed: 09-21-2009

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:)	BK-S-09-21177-LBR
)	Chapter 13
NICOLE E. TOSTEN)	Trustee: Rick A. Yarnall
)	
)	
Debtor.)	Date: September 17 th , 2009
)	Time: 3:30 p.m.

**ORDER GRANTING MOTION TO VALUE COLLATERAL, "STRIP OFF" AND
MODIFY RIGHTS OF HOMEQ, PURSUANT TO 11 U.S.C. §506(a) AND §1322**

This matter of Debtor, NICOLE E. TOSTEN, requesting the Court's permission to Value Collateral, "Strip Off" and Modify Rights of HOMEQ, Pursuant to 11 U.S.C. §506(a) and §1322, coming on for hearing this 17th day of September, 2009, at 3:30 p.m., with the LAW OFFICE OF FRANK SORRENTINO, appearing for Debtor, NICOLE E. TOSTEN, and RICK A. YARNALL appearing as the Chapter 13 Trustee, and pursuant to notice duly given, no opposition being filed by creditor, and the Court having heard the representation

1 of counsel for Debtor and the Chapter 13 Trustee, and being otherwise informed, and good
2 cause appearing therefore,

3 IT IS HEREBY ORDERED that the security interest of HOMEQ in the real property
4 commonly known as 2083 Tierra Del Verde St., Las Vegas, NV 89156, and legally
5 described as:

6 Tierra Mesa, Plat Book 108, Page 24, Lot 44, Block 3

7 is hereby avoided and set aside and that the claim of HOMEQ in these bankruptcy
8 proceedings shall be treated as unsecured.

9 IT IS FURTHER ORDERED that said lien of HOMEQ on the aforementioned
10 property will be preserved if Debtor's bankruptcy case is converted or dismissed.

11 IT IS FURTHER ORDERED that the certain Deed of Trust recorded in the Office of
12 the Clark County Recorder as document number 20050613-03486 on June 13, 2005, is
13 hereby removed and expunged from the County records and shall no longer constitute a
14 lien or encumbrance upon the aforesaid real property.

15 **IT IS SO ORDERED.**

16 DATED this 21st day of September, 2009.

17 Submitted by:

18 LAW OFFICE OF FRANK SORRENTINO

CHAPTER 13 TRUSTEE

19 /s/ Frank Sorrentino

/s/ Rick A. Yarnall

20 By: _____

By: _____

21 FRANK SORRENTINO, ESQ.

RICK A. YARNALL

22 Nevada Bar #000421

1118 E. Carson

23 Las Vegas, NV 89101

Attorney for Debtor

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1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, the undersigned certifies:

3 ☐ The Court waived the requirements of LR 9021.

4 ☐ I have delivered a copy of this proposed order to all attorneys and
5 unrepresented parties who appear at the hearing regarding this matter
and/or who filed a written objection and each has:

6 ☐ approved the form of this order;

7 ☐ waived the right to review the order; and/or

8 ☐ failed to file and serve paper in accordance with LR 9021(c)

9 ☒ I have delivered a copy of this proposed order to all attorneys, any trustee
10 appointed in this case, and unrepresented parties who appeared at the
11 hearing regarding this matter and/or who filed a written objection and all
have either approved the form of this order, waived the right to review the
12 order, failed to file and serve papers in accordance with LR 9021(c) and the
13 following have disapproved the form of the order:

14 ☐ No Opposition was filed to the motion and no other party or counsel
15 appeared at the hearing.
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